## IN THE UNITED STATES DISTRICT COURT MIDDLE DISTRICT OF ALABAMA NORTHERN DIVISION

HORTON HOMES, INC.,	SUMMONS IN A CIVIL ACTION
Plaintiff,	ALIAS
v. )	Civil Action No.
LARUE BANDY, MARIE BANDY, PATRICK PRITCHETT, WILLIAM SHANER, ELSIE FONDREN AVERETTE, WILLIAM CRUTHIRDS, SHERRIE CRUTHIRDS, Defendants.	2:07-CV-506-MEF
TO: Elsie Fondren Averette 56 Bear Creek Road Brent, Alabama 35034	

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY

Sydney F. Frazier, Jr. Cabaniss, Johnston, Gardner, Dumas & O'Neal LLP 2001 Park Place North, Suite 700 Birmingham, AL 35203

James L. Paul
Thomas C. Grant
Chamberlain, Hrdlicka, White,
Williams & Martin
191 Peachtree Street, N.E. – 34th Floor
Atlanta, GA 30303

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

Debra P. Hackett	6/15/07
CLERK K LULYES	DATE
(By) DEPUTY CLERK	

Case 2:07-cv-00506-MEF-CSC Document 6 Filed 06/15/2007 Page 2 of 2 △AO 440 (Rev. 8/01) Summons in a Civil Action RETURN OF SERVICE DATE Service of the Summons and complaint was made by me<sup>(1)</sup> NAME OF SERVER (PRINT) TITLE Check one box below to indicate appropriate method of service ☐ Served personally upon the defendant. Place where served: Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: ☐ Returned unexecuted: ☐ Other (specify): STATEMENT OF SERVICE FEES TRAVEL SERVICES TOTAL \$0.00 **DECLARATION OF SERVER** I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct. Executed on Date Signature of Server Address of Server

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.